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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,852	01/21/2005	Lukas Kupper	DE 020226	6195

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EXAMINER

SANEI, HANA ASMAT

ART UNIT PAPER NUMBER

2879

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/521,852

Applicant(s)

KUPPER ET AL.

Examiner

Hana A. Sanei

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 13-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16 and 18-22 is/are allowed.
- 6) ☒ Claim(s) 1-9, 13-15 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/22/06 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/10/06 has been entered.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

Claim 1 is objected to because of the following informalities: It should be noted that the depiction of "lateral" and "longitudinal" axis is vague and unclear. While correlation between "latitude" and "longitude" express spatial arrangements, the correlation between "lateral" and "longitudinal" do not. Examiner does note the applicant's intent to limit Claim 1 to Fig. 5. Examiner suggests modification of claim language to include the term "orthogonal" or "L-shaped configuration" as Fig. 5 shows the two strips, 96, are clearly perpendicular to each other. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-4, 6, 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsuda et al (US 2002/0063503 A1).

Regarding Claim 1, Tsuda teaches a lamp (see at least Figs. 1-2) which radiates visible light and infrared light, characterized in that a lamp bulb comprises at least a first region (40a, bottom of sealed glass bulb, 22) which is at least partly permeable to infrared light and at least partly impermeable to visible light, and at least a second region which is wholly or partly permeable at least to visible light (top of sealed glass bulb, 22), wherein the first region is located at a first portion of the lamp bulb fully in a lateral direction of the lamp bulb, and is located at a second portion of the lamp bulb in a longitudinal direction, and wherein the first portion of the lateral direction is located at an end of the second portion in the longitudinal direction substantially near a base of the lamp bulb (refer now to Fig. 2a-2b).

Regarding Claims 2-4, Tsuda teaches that the first region has a filter coating that forms a semi-circular shell, which envelops the bulb (refer to Figs. 1-2).

Regarding Claim 6, Tsuda teaches that the filter coating (40) is provided on a shield (30, of Figs. 5-7).

Regarding Claim 9, Tsuda teaches the lamp is constructed as a gas discharge lamp ([0010]).

2. Claims 1-4, 7-8, 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Israel et al (US 6462465 B1).

Regarding Claim 1, Israel teaches a lamp which radiates visible light and infrared light (see at least Fig. 4), having a lamp bulb (26, see at least Fig. 3) comprises at least a first region (20, left most portion of 26) which is at least partly permeable to infrared light and at least partly impermeable to visible light (90% reflectance of visible light having a wavelength between **about** 400 nm to 800 nm, and 80% transmittance of infrared radiation having a wavelength greater than 900 nm, Col. 2, lines 41-50, see also graph Fig. 6), and at least a second region which is wholly or partly permeable at least to visible light (24, light-transmissive portion, right most portion of 26), wherein the first region is located at a first portion of the lamp bulb fully in a lateral direction of the lamp bulb, and is located at a second portion of the lamp bulb in a longitudinal direction, and wherein the first portion of the lateral direction is located at an end of the second portion in the longitudinal direction substantially near a base of the lamp bulb (refer now to Figs. 3-4).

Regarding Claim 2, Israel teaches that the first region has a filter coating (20.

Regarding Claim 3, Israel teaches that the filter coating forms a semi-circular shell (Fig. 2).

Regarding Claim 4, Israel teaches that the filter coating envelops the bulb (the bulb here is referenced the whole of 26).

Regarding Claim 7, Israel teaches a means safeguarding a neutral color impression within a white region are arranged on the lamp bulb (20, 90% reflectance of visible light having a wavelength between **about** 400 nm to 800 nm, and 80% transmittance of infrared radiation having a wavelength greater than 900 nm, Col. 2, lines 41-50, see also graph Fig. 6).

Regarding Claim 8, Israel teaches that a means that reflect infrared light at least partly into the first region are arranged in the second region (refer now to Fig. 4).

Regarding Claim 9, Israel teaches that the lamp is constructed as a halogen lamp in a gas discharge lamp (arc lamp, such as lamp disclosed in co-owned U.S. Pat. No. 4918352 to Hess, metal halide, Col. 4, lines 7-12).

Regarding Claim 13, Israel teaches a shield (22, longitudinal edges of 20) separating the first region and the second region, the shield allowing passage of the infrared light to the first region and blocking the white light (longitudinal edges 22 coated after cylinder 10 is divided, Col. 3, lines 14-19).

Regarding Claim 14, Israel teaches that the first region includes at least one extremity of the lamp and one side of the lamp (Fig. 4).

Regarding Claim 15, Israel teaches that the second region includes a coating that reflects the infrared light to the first region (reflectance of overlap of 20 and 24 in direct contact, Fig. 4).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Israel et al (US 6462465 B1) in view of Kiesel (US 4801845).

Regarding Claim 5, Israel teaches the invention set forth above (see rejection in Claim 1 above) and further teaches an incandescent light source (40, Col. 4, lines 7-9). Israel fails to exemplify the use of two incandescent filaments, as Israel is silent regarding the number of filaments.

In the same field of endeavor, Kiesel teaches two incandescent filaments (6, 7, see at least Fig. 2) for halogen incandescent lamp structure as conventional in the art. Kiesel teaches the suitability of using a halogen incandescent lamp structure formed of a two incandescent filaments for the purpose of providing a dual-filament automotive-type lamp to have a high beam/low beam configuration for vehicular use and safety (Col. 3, lines 55-63). It should be noted that Israel's filter coating inherently coats one of the envelopes of the two incandescent filaments, as applicant does not negate the possibility of coating both of the envelopes and not "only" one of the envelopes.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the incandescent filament type, as disclosed by Kiesel, in the lamp of Israel in order to ensure a dual-filament automotive-type lamp to have a high beam/low beam configuration for vehicular use and safety and to choose from one of the filament types disclosed by Kiesel, since Kiesel teaches the suitability of

using a halogen lamp formed of a two incandescent filaments and it has been held to be within the general skill of an artisan to select a known material on the basis of the intended use.

Regarding Claim 6, Israel-Kiesel teaches that the filter coating (20, left most portion of 26, see Fig. 6 of '465) is provided on a shield (11, Fig. 4 of '845). It should be noted that while the filter coating is not "directly coated on" the shield, it is nonetheless inherently "coated on" the shield.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuda et al (US 2002/0063503 A1) in view of Raago (US 3688147).

Regarding Claim 7, Tsuda teaches the invention set forth above (see rejection in Claim 1 above). Tsuda is silent regarding a means for safeguarding a neutral color impression within a white region. In the same field of endeavor of filters, Raago teaches a means for safeguarding a neutral color impression within a white region (blue-green filter, Col. 1, lines 56-58). Raago teaches this for the added benefit of eliminating the dull red glow inherently present in the lamp of Tsuda (Col. 1, lines 50-56). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add the means for safeguarding a neutral color impression within a white region, as disclosed by Raago, in the device of Tsuda in order to eliminate the dull red glow inherently present in the lamp of Tsuda.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuda et al (US 2002/0063503 A1) in view of Davies et al (US 20030209962 A1).

Regarding Claim 8, Tsuda teaches the invention set forth above (see rejection in Claim 1 above). Tsuda is silent regarding a means for reflecting infrared light arranged in a second region. In the same field of endeavor, Davies teaches a means for reflecting infrared light arranged in a second region of the lamp bulb ([0007]). Davies teaches the reflecting means for the purpose of ensuring that less power is required to be supplied to the lamp in order to achieve the desired light output ([0007]). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add the reflecting means, as disclosed by Davies, to the second region of Tsuda in order to ensure that less power is required to be supplied to the lamp in order to achieve the desired light output.

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuda et al (US 2002/0063503 A1) in view of Trigiani (US 6710636 B1).

Regarding Claim 17, Tsuda teaches the invention set forth above (see rejection in Claim 1 above) and further teaches that the light source radiates visible light, UV light, and infrared light ([0041], [0043]). Tsuda is silent regarding the first region additionally being at least partly permeable to UV light.

In the same field of endeavor of filters, Trigiani teaches a filter least partly permeable to UV light and infrared light and at least partly impermeable to visible light (Col. 2, lines 28-42). Trigiani teaches the filter for the purpose of ensuring a transmission efficiency of over 90% for the desired wavelengths, hence allowing the size and wattage of the lamp (Col. 2, lines 38-42).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify the filter, as disclosed by Trigiani, to the second region of Tsuda in order to ensure a transmission efficiency of over 90% for the desired wavelengths, hence allowing the size and wattage of the lamp.

Other Art Cited

Scholler (US 5619102) teaches a lamp with L-shaped coating on discharge vessel.

Allowable Subject Matter

A. Claim 16 is allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

The prior art of record teaches a headlight comprising a light source for providing source light including visible light, UV light and infrared light; a reflector configured to reflect the source light, the reflector having an upper sector for reflecting the source light downward to form a low beam, and a lower sector for reflecting the source light upward to form a high beam, the high beam having a higher direction than the low beam, a screen configured to be receive the high beam from the lower sector

However, the prior art of record neither shows nor suggests a motivation for modifying the screen configured to substantially pass the UV light and the infrared light and block the visible light as set forth in Claim 16.

B. Claim 18 is allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

The prior art of record teaches a headlight comprising a light source for providing source light including visible light and infrared light; a reflector configured to reflect the source light, the reflector having an upper sector for reflecting the source light downward to form a low beam, and a lower sector for reflecting the source light upward to form a high beam, the high beam having a higher direction than the low beam, a screen configured to be receive the high beam from the lower sector

However, the prior art of record neither shows nor suggests a motivation for modifying the screen configured to substantially pass the infrared light and block the visible light as set forth in Claim 18.

C. Claims 19-23 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

The prior art of record teaches a lamp radiating visible light and infrared light, having a lamp bulb comprising at least a first region which is at least partly permeable to infrared light and at least partly impermeable to visible light.

However, the prior art of record neither shows nor suggests a motivation for at least a second region which is permeable to blue and green light only as set forth in Claim 19.

Claims 20-23 are allowable because of their dependency status from claim 19.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hana A. Sanei whose telephone number is (571) 272-8654. The examiner can normally be reached on Monday- Friday, 9 am - 5 pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Hana A. Sanei
Examiner



Joseph Williams
Primary Examiner